

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

OMAR SHARIFF CASH,	:	
Plaintiff,	:	
	:	
v.	:	NO. 18-cv-2114
	:	
U.S. DEPARTMENT OF HOMELAND	:	
SECURITY, <i>et al.</i>,	:	
Defendants.	:	

ORDER

AND NOW, this 30th day of May, 2018, upon consideration of Plaintiff Omar Shariff Cash's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), his Prisoner Trust Fund Account Statement (ECF No. 3), and his *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915(b).
2. Cash, #JN-9025, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by Cash, an initial partial filing fee of \$56.79 is assessed. The Superintendent or other appropriate official at SCI Greene or at any other prison at which Cash may be incarcerated is directed to deduct \$56.79 from Cash's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 18-2114. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at SCI Greene or at any other prison at which Cash may be incarcerated, shall deduct from Cash's account, each time that Cash's inmate trust fund account exceeds \$10.00, an amount no greater than 20 percent of the money credited to his account

during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 18-2114.

3. The Complaint is **DEEMED** filed.

4. The Complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim for the reasons set forth in the Court's Memorandum. Cash's claims challenging his convictions and sentences, which are barred by *Heck v. Humphrey*, 512 U.S. 477 (1994) are **DISMISSED without prejudice** to his right to pursue them in a new lawsuit if and when his convictions are invalidated. Cash's state law claims are **DISMISSED without prejudice** to his right to raise them in state court. Cash's remaining claims are **DISMISSED with prejudice**. Cash may not file an amended complaint in this matter.

5. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of SCI Greene.

6. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge